

UNITED
TALMUDICAL
ACADEMY
OF BORO PARK

ישיבה ומתיבתא
תורה ויראה
ובית רחל
דרבינו יואל מסאטמאר



January 5, 2017

From: UNITED TALMUDICAL ACADEMY OF BORO PARK

Contact Person: Mr. Freidman

Entity #: 233008

FCC Form 498 ID 443019344

To: Marlene H. Dortch, Secretary

Federal Communications Commission

Office of the Secretary

445 12th Street, SW

Washington, DC 20554

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request for Review

Request for a Waiver

We are requesting an Invoice Deadline Extension for FRN 2273332 of 471 # 837920.

We had previously appealed to USAC the SLD decision to deny payment for SLD Invoice Number: 1886788 which was the BEAR form we submitted for FRN 2273332 of 471 # 837920 and requested USAC to either approve SLD Invoice Number: 1886788 or to grant us an Invoice Deadline Extension.

5301 14TH AVE. ■ BROOKLYN, NY 11219

BRANCH OFFICES

TEL. 718.438.7822 ■ FAX. 718.438.3153

■ 5301- 14th Avenue, Brooklyn, NY ■ 1415-54th Street, Brooklyn, NY ■ 5411 Fort Hamilton Parkway, Brooklyn, NY

■ 1346-56 53rd Street, Brooklyn NY ■ 960 49th Street, Brooklyn NY ■ 1010 45th Street, Brooklyn, NY ■ 1269-81 36th Street, Brooklyn, NY

We believe that denying of payment for our BEAR form (SLD Invoice Number: 1886788) was done so in error. Because we did not receive any correspondence from USAC regarding the above BEAR form. We had actually reached out to USAC in September of 2016 to get information on this BEAR form which was already submitted back in September of 2013, but we were not given any clear update other than advising us that this BEAR is still in review.

We appealed this decision with USAC on December 19, 2016 but our appeal was dismissed. The letter stated that USAC had already sent the school a notice of the denial of this BEAR on September 30, therefore our appeal was past 60 days.

We are appealing this decision with FCC and requesting a waiver to extend the Invoice Deadline based on the fact that we are not aware of receiving such a letter from USAC. There is a possibility that the reason we did not receive that correspondence that was mostly likely mailed by USAC was; as this would have been delivered during the Jewish holiday period when our office was closed. There were other instances that were brought to our attention of mail not being received by our school during that period. The only notification from USAC that our BEAR form was the remittance letter we received on December 7, 2016 (included).

We also believe that according to standard USAC procedure, USAC should have done a far better job of reaching out to us if there were any issues with our BEAR form, especially in this case that we submitted our BEAR form a couple of years ago before the Invoice Deadline and a few years have passed since, when it was already passed the Invoice Deadline. We are pretty sure that USAC never attempted even one phone call to our school.

In addition, failure to grant us an Invoice Deadline Extension will result in an extreme hardship for the school. As a private non for profit school district with an over 90% poverty rate we rely on the e-rate funding.

We are including a copy of the remittance email, our USAC appeal and USAC's Administration Decision on Appeal letter.

A handwritten signature in black ink, appearing to read 'Y. M. Freidman', written in a cursive style.

Y. M. Freidman, School Manager

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From: UNITED TALMUDICAL ACADEMY OF BORO PARK

Contact Person: Mr. Freidman

Entity #: 233008

FCC Form 498 ID 443019344

To: Letter of Appeal

Schools and Libraries - Correspondence Unit

Parsippany, NJ 07054-0685

appeals@sl.universalservice.org

We are appealing the SLD decision to deny payment for SLD Invoice Number: 1886788 which was the BEAR form we submitted for FRN 2273332 of 471 # 837920.

On the "SCHOOLS AND LIBRARIES BEAR PROGRAM REMITTANCE STATEMENT" dated 12/07/2016 it states: "No response from applicant"

We are appealing this decision because we did not receive any correspondence from USAC regarding the above BEAR form. We had actually reached out to USAC in September of 2016 to get information on this BEAR form which was already submitted back in September of 2013, but we were not given any clear update other than advising us that this BEAR is still in review.

We are therefore appealing to USAC to either continue the processing of the BEAR form we already submitted or to extend the Invoice Deadline for this FRN so we have a chance to resubmit this BEAR form.

Y. M. Freidman, School Manager

5301 14TH AVE. ■ BROOKLYN, NY 11219

BRANCH OFFICES

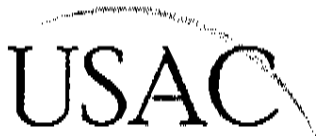
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Y. M. Friedman
United Talmudical Academy Of Borough Park
5301 14th Ave
Brooklyn, NY 11219

Billed Entity Number: 233008
Form 471 Application Number: 837920
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2012-2013

January 03, 2017

Y. M. Friedman
United Talmudical Academy Of Borough Park
5301 14th Ave
Brooklyn, NY 11219

Re: Applicant Name:	UNITED TALMUDICAL ACADEMY OF BOROUGH PARK
Billed Entity Number:	233008
Form 471 Application Number:	837920
Funding Request Number(s):	2273332
Decision Letter Date:	September 30, 2016
Date Appeal Postmarked:	December 19, 2016
Your Correspondence Dated:	December 19, 2016

Our records show that your appeal was postmarked more than 60 days after the date your FCC Form 472 (BEAR) Notification Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company

Forwarded message -----

From: <CustomerSupport@usac.org>

Date: Wed, Dec 7, 2016 at 1:17 PM

Subject: YOUR E-RATE PROGRAM REMITTANCE STATEMENT: 443019344

To: yl11219@gmail.com



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SCHOOLS AND LIBRARIES BEAR PROGRAM REMITTANCE STATEMENT
As Of December 07, 2016

Attn: Isaac Friedman
UNITED TALMUDICAL ACADEMY OF BROUGH PARK

RE: FCC Form 498 ID 443019344

This notice provides an explanation of your entity's Billed Entity Applicant Reimbursement (BEAR) payment for the following invoices.

Approved

12/7/2016 143000677 Verizon Wireless (Cellco Partnership) 2273332 VERIZON WIRELESS-2012	\$0.00
Applicant Name:UNITED TALMUDICAL ACADEMY OF BROUGH PARK;SLD Invoice Number:1886788;BEAR Letter Date:09/26/2016;Line Item Detail Number:6326119;Amount Requested:74416.67;No response from applicant;278;	
12/7/2016 143026854 Xchange Telecom 2273338 XCHANGE TELECOM-2012	\$0.00
Applicant Name:UNITED TALMUDICAL ACADEMY OF BROUGH PARK;SLD Invoice Number:1933942;BEAR Letter Date:09/22/2016;Line Item Detail Number:6465521;Amount Requested:37420.41;No response from service provider;279;	

12/7/2016 143026854 Xchange Telecom 2273338 XCHANGE TELECOM-2012 Applicant Name:UNITED TALMUDICAL ACADEMY OF BURGESS PARK;SLD Invoice Number:2014195;BEAR Letter Date:09/22/2016;Line Item Detail Number:6737680;Amount Requested:37420.41;No response from applicant;278;	\$0.00
12/7/2016 143026854 Xchange Telecom 2273338 XCHANGE TELECOM-2012 Applicant Name:UNITED TALMUDICAL ACADEMY OF BURGESS PARK;SLD Invoice Number:1971174;BEAR Letter Date:09/22/2016;Line Item Detail Number:6586976;Amount Requested:37420.41;No response from applicant;278;	\$0.00
12/7/2016 143026854 Xchange Telecom 2273338 XCHANGE TELECOM-2012 Applicant Name:UNITED TALMUDICAL ACADEMY OF BURGESS PARK;SLD Invoice Number:1948158;BEAR Letter Date:09/22/2016;Line Item Detail Number:6506958;Amount Requested:37420.41;No response from service provider;279;	\$0.00
Total Approved Disbursement	<u>\$0.00</u>
Total Actual Disbursement:	<u>\$0.00</u>

If you have any questions, please contact USAC Customer Operations at [\(888\) 641-8722](tel:8886418722) or CustomerSupport@usac.org. You may also visit us at www.usac.org.